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Jessica Kahn

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Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/682,645	KAHN, JESSICA	
	<b>Examiner</b>	<b>Art Unit</b>	
	TuyetLien (Lien) T. Tran	2193	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 October 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-74 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-74 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>1/15/04</u> .   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 4, 49, and 64 are objected to because of the minor informalities.

As to claim 4, the limitation "changing an appearance of a command" is recited twice in line 5 and line 14 of the claim.

As to claim 49, the limitation "computer program code for changing an appearance of a command" is also recited twice in line 6 and again in line 15 of the claim.

As to claim 64, the limitation "changing an appearance of a command" is also disclosed twice in line 5 and again in line 14 of the claim.

It is the best interest of the patent community that applicant, in his/her normal review and /or rewriting of the claims, to take into consideration these editorial situations and make changes as necessary.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 8 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitations "the instructional tip" in the third line of the claim. There is insufficient antecedent basis for these limitations in the claim.

***Claim Rejections - 35 USC § 101***

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 60-74 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

As to claims 60 and 61, a "system" is being recited in the first line of the claims; however, as disclosed by the specification, a system is taught to be software, per se. A program with no structural and functional interrelationship between computer elements is computer software by itself.

Claims 62-74 are rejected as incorporating the deficiencies of a claim upon which it depends.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-3, 11-15, 17-18, 20-23, 30, 34-37, 44, 46-48, 51, 53-56, 60-63, 66, 68-69, 70-71 are rejected under 35 U.S.C. 102(e) as being anticipated by Rudd et al (Pub No. US 2005/0120313 A1; hereinafter simply referred to as Rudd).

As to independent claim 1, Rudd discloses:

A computer-implemented user interface configuration method (a method for personalizing an electrical device interface, see [0006]), comprising:

detecting a user proficiency level (e.g., the skill level of the user, see [0036]) with respect to a user interface (e.g., monitoring the frequency of selection of the various commands over time to determine which commands are most often used, see [0041, lines 5-8), based on user behavior with respect to the user interface (i.e., the user selects "beginner" interface option that is suitable for his/her skill, see [0036], lines 4-7); and

automatically configuring the user interface responsive to the detected proficiency level (step 308 of Fig. 3).

As to independent claim 46, this claim differs from claim 1 only in that claim 46 is a computer program product claimed with a computer readable medium storing program code whereas claim 1 is a method claim. It should be noted that Rudd also teaches a computer program product for configuring a user interface (see [0026]). Thus claim 46 is analyzed as previously discussed with respect to claim 1 above.

As to independent claim 60, this claim differs from claim 1 only in that claim 60 is a system (i.e., a system for personalizing an electrical device, see [0006], lines 2-4) claim whereas claim 1 is a method claim. Thus claim 60 is analyzed as previously discussed with respect to claim 1 above.

As to independent claim 61, Rudd teaches:

A system for configuring a user interface (see [0006], lines 2-4), comprising:  
a user proficiency level detector, for detecting a user proficiency level (e.g., the skill level of the user, see [0036]) with respect to a user interface (e.g., monitoring the frequency of selection of the various commands over time to determine which commands are most often used, see [0041, lines 5-8), based on user behavior with respect to the user interface (i.e., the software component that detects the user selecting “beginner” interface suitable for his/her skill, see [0036], lines 4-7); and  
a user interface configuration module (i.e., an interface personalization module 220 as shown in Fig. 2), coupled to the user proficiency level detector (i.e., the software component that detects the user selecting “beginner” interface option suitable for his/her skill), for automatically configuring the user interface responsive to the detected proficiency level (step 308 of Fig. 3).

As to claim 2, Rudd further teaches wherein automatically configuring the user interface (step 308 of Fig. 3) comprises: selecting at least one configuration option from a plurality of configuration options (i.e., module 220 displays the selected “beginner” interface to the user from a list of “beginner”, “intermediate”, and “advanced” interface, see [0036]).

As to claim 3, Rudd teaches wherein automatically configuring the user interface (step 308 of Fig. 3) comprises at least one selected from the group consisting of:

enabling access to a user interface element (i.e., the user can add command to the interface, see [0044], lines 16-19);

disabling access to a user interface element (i.e., the user can be provided with the option of removing existing commands); and

changing an appearance of a user interface element (i.e., frequently used commands are displayed on the top level "screen", see [0042], lines 8-14).

As to claim 11, Rudd teaches further comprising: outputting a notification of a change to user interface configuration (e.g., the user is presented with a GUI which can comprise a completely different interface, see [0040], lines 13-17).

As to claim 12, Rudd teaches further comprising: outputting a notification of at least one newly enable user interface feature (i.e., facilitates reconfiguration of the interface such that one or more new commands are added to the interface, see [0039], lines 5-8).

As to claim 13, Rudd also teaches wherein detecting (e.g., monitoring the frequency of selection of the various commands over time to determine which commands are most often used, see [0041], lines 5-8) the user proficiency level (step 304 of Fig. 3) and automatically configuring the user interface (step 308 of Fig. 3) are performed responsive to a trigger event (e.g., step 600 of Fig. 6).

As to claim 14, Rudd discloses wherein the trigger event comprises user input requesting user interface configuration (e.g., step 600).

As to claim 15, Rudd discloses wherein the trigger event comprises application startup (e.g., step 300 as shown in Fig. 3).

As to claim 17, Rudd teaches wherein the trigger event comprises a change in user behavior with respect to the user interface (i.e., the user select new interface, see [0034]).

As to claim 18, Rudd teaches wherein the trigger event comprises user login (see [0035]).

As to claim 20, Rudd teaches wherein detecting the user proficiency level (e.g., monitoring the frequency of selection of the various commands over time to determine which commands are most often used, see [0041, lines 5-8) comprises reading a stored user proficiency level (steps 304 and 306) derived from at least one marker (i.e., user selection).

As to claim 21, Rudd teaches wherein the marker (i.e., user selection as shown in step 304) indicates historical usage of the user interface (e.g., the interface personalization module 220 is configured to track the user's selection and adjust the interface accordingly, see [0040], lines 4-6).

As to claim 22, Rudd teaches wherein detecting the user proficiency level (e.g., the skill level of the user, see [0036]) comprises detecting whether a user interface element has been used (e.g., monitors the frequency of selection of the various



commands over time to determine which commands are most often used, see [0041], lines 4-8).

As to claim 23, Rudd teaches detecting the user proficiency level (e.g., monitoring the frequency of selection of the various commands over time to determine which commands are most often used, see [0041, lines 5-8) comprises detecting whether a user interface element has been used a number of times exceeding a predetermined threshold (i.e., a particular number of times the interface is accessed and used, see [0041], lines 11-14).

As to claim 30, Rudd teaches wherein detecting the user proficiency level (e.g., monitoring the frequency of selection of the various commands over time to determine which commands are most often used, see [0041, lines 5-8) comprises detecting a user-specified preference indicating a proficiency level (e.g., the user can change the aesthetics as well as the functionality of the interfaces to suit his or her preferences and/or needs, see [0029], lines 4-6).

As to claim 34, Rudd teaches wherein:

detecting the user proficiency level comprises detecting the user proficiency level with respect to a user interface component less than the entire user interface (e.g., monitoring the frequency of selection of the various commands over time to determine which commands are most often used, see [0041, lines 5-8); and

automatically configuring the user interface comprises automatically configuring the user interface component without altering the configuration of the remainder of the

user interface (i.e., more frequently used commands are displayed on the top level “screen” of the interface while less frequently used commands are provided in lower level of the drop-down menu; the remainder of the interface stay intact, see 0042]).

As to claim 35, Rudd teaches wherein:

detecting the user proficiency level comprises detecting the user proficiency level with respect to an application (i.e., the user selects an interface option that most closely represents the user’s level of understanding of the functionality and operation of the electrical device, see [0036]); and

automatically configuring the user interface comprises automatically configuring the user interface for the application (i.e., as the user learns more about the functionality and operation of the electrical device, the interface gradually changes to offer more advanced commands, see [0037], lines 4-6).

As to claim 36, Rudd teaches further comprising: responsive to user behavior with respect to the user interface, storing a marker (i.e., user selection) indicating a user proficiency level (step 306, Fig. 3);

and wherein detecting the user proficiency level (e.g., monitoring the frequency of selection of the various commands over time to determine which commands are most often used, see [0041, lines 5-8) comprises reading the stored marker (i.e., reading the user’s profile through a common login procedure, see [0035]).

As to claim 37, Rudd teaches storing the marker is performed by a first application (i.e., the user's interface selection is stored by the interface personalization module, see [0035]); and

Reading the stored marker is performed by a background process (i.e., when the user login through a common login procedure, the authentication is performed in the background).

As to claim 44, Rudd teaches further comprising:  
accepting user input overriding the user interface configuration and specifying a desired configuration (step 414 in Fig. 4); and  
responsive to the user input (i.e., listening to the user's response as evidently shown in step 416), configuring the user interface according to the desired configuration (step 418).

As to claim 47, this claim differs from claim 2 only in that claim 47 is a computer program product claim (see [0026]) whereas claim 2 is a method claim. Thus claim 47 is analyzed as previously discussed with respect to claim 2 above.

As to claim 48, this claim differs from claim 3 only in that claim 48 is a computer program product claim (see [0026]) whereas claim 3 is a method claim. Thus claim 48 is analyzed as previously discussed with respect to claim 3 above.

As to claim 51, this claim differs from claim 13 only in that claim 51 is a computer program product claim (see [0026]) whereas claim 13 is a method claim. Thus claim 51 is analyzed as previously discussed with respect to claim 13 above.

As to claim 53, this claim differs from claim 20 only in that claim 53 is a computer program product claim (see [0026]) whereas claim 20 is a method claim. Thus claim 53 is analyzed as previously discussed with respect to claim 20 above.

As to claim 54, this claim differs from claim 34 only in that claim 54 is a computer program product claim (see [0026]) whereas claim 34 is a method claim. Thus claim 54 is analyzed as previously discussed with respect to claim 34 above.

As to claim 55, this claim differs from claim 35 only in that claim 55 is a computer program product claim (see [0026]) whereas claim 35 is a method claim. Thus claim 55 is analyzed as previously discussed with respect to claim 35 above.

As to claim 56, this claim differs from claim 36 only in that claim 56 is a computer program product claim (see [0026]) whereas claim 36 is a method claim. Thus claim 56 is analyzed as previously discussed with respect to claim 36 above.

As to claim 62, this claim differs from claim 2 only in that claim 62 is a system claim (see [0006]) whereas claim 2 is a method claim. Thus claim 62 is analyzed as previously discussed with respect to claim 2 above.

As to claim 63, this claim differs from claim 3 only in that claim 63 is a computer program product claim (see [0006]) whereas claim 3 is a method claim. Thus claim 63 is analyzed as previously discussed with respect to claim 3 above.

As to claim 66, this claim differs from claim 13 only in that claim 66 is a computer program product claim (see [0006]) whereas claim 13 is a method claim. Thus claim 66 is analyzed as previously discussed with respect to claim 13 above.

As to claim 68, this claim differs from claim 20 only in that claim 68 is a system claim (see [0006]) whereas claim 20 is a method claim. Thus claim 68 is analyzed as previously discussed with respect to claim 20 above.

As to claim 69, this claim differs from claim 34 only in that claim 69 is a system claim (see [0006]) whereas claim 34 is a method claim. Thus claim 69 is analyzed as previously discussed with respect to claim 34 above.

As to claim 70, this claim differs from claim 35 only in that claim 70 is a system claim (see [0006]) whereas claim 35 is a method claim. Thus claim 70 is analyzed as previously discussed with respect to claim 35 above.

As to claim 71, this claim differs from claim 36 only in that claim 71 is a system claim (see [0006]) whereas claim 36 is a method claim. Thus claim 71 is analyzed as previously discussed with respect to claim 36 above.

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 4, 16, 39-41, 49, and 64 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rudd in view of Howe et al (Patent No. US 6,917,958 B1, hereinafter simply referred to as Howe).

As to claim 4, Rudd teaches the limitation of claim 1 for the reasons as discussed with respect to claim 1 above. Rudd further teaches automatically the user interface (step 308 of Fig. 3) comprises at least one selected from the group consisting of:

enabling access to a command (i.e., the user can add command to the interface, see [0044], lines 16-19);

disabling access to a command (i.e., the user can be provided with the option of removing existing commands);

changing an appearance of a command (i.e., frequently used commands are displayed on the top level "screen", see [0042], lines 8-14);

enabling access to a menu (i.e., the user can add command to the interface, see [0044], lines 16-19; it is noted that command and menu are used interchangeable as evidently shown in [0042], lines 12-14);

disabling access to a menu (i.e., the user can be provided with the option of removing existing commands);

changing an appearance of a menu (i.e., frequently used commands or menu are displayed on the top level "screen", see [0042], lines 8-14);

enabling access to a button (i.e., the user can add command to the interface, see [0044], lines 16-19; it is noted that command identifiers are defined as button as evidently shown in [0042], lines 8-10);

disabling access to a button (i.e., the user can be provided with the option of removing existing commands);

changing an appearance of a button (i.e., frequently used commands or menu are displayed on the top level "screen", see [0042], lines 8-14);

However, Rudd fails to explicitly disclose enabling, disabling access to a shortcut. Howe teaches:

enabling access to a shortcut (i.e., application packages which includes shortcuts are made available to users who are logged on, see col. 8, lines 37-44);

disabling access to a shortcut (i.e., application packages are not available to users who are not logged on , see col. 8, lines 37-44 or whose user profile indicates that a shortcut to a particular application is not needed, see col. 8, lines 47-50).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have utilized the method of automatically configuring access to a shortcut as taught by Howe to the user interface configuration method as taught by Rudd to provide the users the ability to have access to shortcuts of applications

wherever they are located to improve productivity through the use of a variety of distributed computing resources (see Howe col. 1, lines 60-63 and col. 2, lines 30-35).

As to claim 16, Rudd teaches the limitation of claim 13 for the reasons as discussed with respect to claim 13 above. However, Rudd does not disclose the trigger event comprises system startup. Howe teaches wherein the trigger event comprises system startup (i.e., upon startup of client computer, user profile 458 may be set from the server to a client to customize a client computer for a specific user, see col. 8, lines 31-50). Thus combining Rudd and Howe would meet the claimed limitation for the same reasons as discussed with respect to claim 4 above.

As to claim 39, Rudd teaches the limitation of claim 36 for the reasons as discussed with respect to claim 36 above. However, Rudd does not teach that storing and reading the marker is performed by an operating system. Howe discloses:

storing the marker is performed by an operating system (e.g., User Profile 548 is stored in a server which is controlled by an operating system as shown in Fig. 4); and

reading the stored marker is performed by the operating system (i.e., upon startup of client computer, the server decides whether specific users can access specific applications, see col. 8, lines 31-40). Thus combining Rudd and Howe would meet the claimed limitation for the same reasons as discussed with respect to claim 4 above.

As to claim 40, Rudd and Howe teach the limitation of claim 39 for the reasons as discussed with respect to claim 39 above. Rudd further discloses automatically



configuring the user interface comprises modifying user interface elements (i.e., the user can change the aesthetics as well as the functionality of the interface to suit his or her preferences, see [0029]) that are supplied to a plurality of applications (i.e., it is noted that third party software can be installed on different application).

As to claim 41, Rudd teaches the limitation of claim 36 for the reasons as discussed with respect to claim 36 above. However, Rudd does not teach that storing the marker is performed by an operating system and reading the marker is performed by an application. Howe teaches

storing the marker is performed by an operating system (e.g., User Profile 548 is stored in a server which is controlled by an operating system as shown in Fig. 4); and

reading the stored marker is performed by an application (i.e., the application that controls the authentication of the user's ID upon login, see col. 9, lines 28-38). Thus combining Rudd and Howe would meet the claimed limitation for the same reasons as discussed with respect to claim 4 above.

As to claim 49, this claim differs from claim 4 only in that claim 49 is a computer program product claim (see [0026]) whereas claim 4 is a method claim. Thus claim 49 is analyzed as previously discussed with respect to claim 4 above.

As to claim 64, this claim differs from claim 4 only in that claim 64 is a system claim (see [0006]) whereas claim 4 is a method claim. Thus claim 64 is analyzed as previously discussed with respect to claim 4 above.

9. Claims 5-~~6~~, 19, 25-26, 28-29, 33, 50, 52, 65, and 67 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rudd in view of Morrison (Publication No. US 2003/0030668 A1, hereinafter simply referred to as Morrison).

As to claim 5, Rudd teaches the limitation of claim 1 for the reasons as discussed with respect to claim 1 above. However, Rudd does not mention automatically configuring the user interface comprises configuring an online help system. Morrison teaches automatically configuring the user interface comprises configuring an online help system (i.e., based on the history of the help files used, more or less information may be displayed to a user or particular types of information may be displayed, see [0010]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used the method of displaying a customized presentation of help files as taught by Morrison to the user interface configuration method as taught by Rudd to allow the user to customize his or her use of the help system and thus view information tailored to his or her needs (see Morrison [0018]).

As to claim 6, Rudd and Morrison teach the limitation of claim 5 for the reasons as discussed with respect to claim 5 above. Morrison further teaches wherein configuring the online help system comprises selecting a help text level responsive to the detected proficiency level (i.e., if the user is novice, the help system only shows the introductory material, and hides more advanced information, see [0030]). Thus combining Rudd and Morrison would meet the claimed limitation for the same reasons as discussed with respect to claim 5 above.

As to claim 19, Rudd teaches the limitation of claim 1 for the reasons as discussed with respect to claim 1 above. However, Rudd does not mention detecting the user proficiency level and automatically configuring the user interface are performed periodically. Morrison discloses detecting the user proficiency level (i.e., determining whether a user is experienced or has viewed similar help topic in the past, see [0031], lines 11-14) and automatically configuring the user interface (step 226 as shown in Fig. 2B) are performed periodically (i.e., link timeout as shown in step 224; it is noted that if the link time is greater than the link timeout, the link will be removed from the currently displayed list as evidently shown in step 226). Thus combining Rudd and Morrison would meet the claimed limitation for the same reasons as discussed with respect to claim 5 above.

As to claim 25, Rudd teaches the limitation of claim 1 for the reasons as discussed with respect to claim 1 above. However, Rudd does not mention detecting how many applications are open concurrently. Morrison teaches wherein detecting the user proficiency level comprises detecting how many applications are open concurrently (i.e., by reading the timestamp information of the cookies, a program can determine how many files are open concurrently; it is noted that files are displayed by an application either from the graphical user interface or from outside of the help system, see [0028]). Thus combining Rudd and Morrison would meet the claimed limitation for the same reasons as discussed with respect to claim 5 above.

As to claim 26, Rudd teaches the limitation of claim 1 for the reasons as discussed with respect to claim 1 above. However, Rudd does not mention detecting a historical average number of concurrently open applications. Morrison teaches wherein detecting the user proficiency level comprises detecting a historical average number of concurrently open applications (i.e., based on the timestamp information, a program can count how many applications are open concurrently at any period of time, see [0028]). Thus combining Rudd and Morrison would meet the claimed limitation for the same reasons as discussed with respect to claim 5 above.

As to claim 28, this claim differs from claim 25 only in that claim 28 recites the limitation "windows" (it is noted that the help content is displayed within a browser window as shown in Fig. 3A) whereas claim 25 recites the limitation of "applications". Thus claim 28 is analyzed as previously discussed with respect to claim 25 above.

As to claim 29, this claim differs from claim 26 only in that claim 29 recites the limitation "windows" (it is noted that the help content is displayed within a browser window as shown in Fig. 3A) whereas claim 26 recites the limitation of "applications". Thus claim 29 is analyzed as previously discussed with respect to claim 26 above.

As to claim 33, Rudd teaches the limitation of claim 1 for the reasons as discussed with respect to claim 1 above. However, Rudd fails to disclose detecting historical usage of web pages having active content. Morrison teaches wherein detecting the user proficiency level comprises detecting historical usage of web pages having active content (e.g., by reading the data from the history file, a program can

determine if the file is opened in the past, see [0028]). Thus combining Rudd and Morrison would meet the claimed limitation for the same reasons as discussed with respect to claim 5 above.

As to claim 50, this claim differs from claim 5 only in that claim 50 is a computer program product claim (see [0026]) whereas claim 5 is a method claim. Thus claim 50 is analyzed as previously discussed with respect to claim 5 above.

As to claim 52, this claim differs from claim 19 only in that claim 52 is a computer program product claim (see [0026]) whereas claim 19 is a method claim. Thus claim 52 is analyzed as previously discussed with respect to claim 19 above.

As to claim 65, this claim differs from claim 5 only in that claim 65 is a system claim (see [0006]) whereas claim 5 is a method claim. Thus claim 65 is analyzed as previously discussed with respect to claim 5 above.

As to claim 67, this claim differs from claim 19 only in that claim 67 is a system claim (see [0006]) whereas claim 19 is a method claim. Thus claim 67 is analyzed as previously discussed with respect to claim 19 above.

10. Claims 7-8, 10, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rudd in view of Gorbet et al (Patent No. US 6,542,163 B2, hereinafter simply referred to as Gorbet).

As to claim 7, Rudd teaches the limitation of claim 1 for the reasons as discussed with respect to claim 1 above. Rudd fails to teach outputting an instructional tip. Gorbet discloses wherein automatically configuring the user interface comprises outputting an instructional tip (tip balloon 80 as shown in Fig. 2B). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used the method of automatically displaying context sensitive tips as taught by Gorbet to the user interface configuration method as taught by Rudd so that a user may learn new features and understand how to more effectively use known features of the program (see Gorbet col. 1, lines 56-65).

As to claim 8, Rudd teaches the limitation of claim 1 for the reasons as discussed with respect to claim 1 above. Rudd fails to teach identifying a user interface component in which the user proficiency level is low, and wherein the instructional tip relates to the identified user interface component. Gorbet discloses identifying a user interface component in which the user proficiency level is low (i.e., the user may be classified as a novice at presenting a slide shown presentation to others, see col. 13, lines 22-25), and wherein the instructional tip relates to the identified user interface component (i.e., if the program detects that the user is frequently converting slides into a HTML file, the tips relating HTML usage would be automatically enable, see col. 12, lines 50-56). Thus combining Rudd and Gorbet would meet the claimed limitation for the same reasons as discussed with respect to claim 7 above.

As to claim 10, Rudd teaches the limitation of claim 1 for the reasons as discussed with respect to claim 1 above. Rudd fails to teach activating or deactivating help tips. Gorbet teaches

activating on-screen help tips (i.e., tips on better use of content and presenting an effective slide show presentation remain enable, see col. 13, lines 16-26); and

deactivating on-screen help tips (i.e., most common and low priority editing tips are disable for proficient user). Thus combining Rudd and Gorbet would meet the claimed limitation for the same reasons as discussed with respect to claim 7 above.

As to claim 27, Rudd teaches the limitation of claim 1 for the reasons as discussed with respect to claim 1 above. However, Rudd does not mention detecting a keyboard shortcut usage level. Gorbet teaches wherein detecting the user proficiency level comprises detecting a keyboard shortcut usage level (see col. 8, lines 53-65). Thus combining Rudd and Gorbet would meet the claimed limitation for the same reasons as discussed with respect to claim 7 above.

11. Claims 9, 24, 31-32, 38, 42-43, 45, 57-59, 72-74 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rudd in view of Aleksander et al (Patent No. US 7,080,321 B2, hereinafter simply referred to as Aleksander).

As to claim 9, Rudd teaches the limitation of claim 1 for the reasons as discussed with respect to claim 1 above. However, Rudd does not explicitly mention activating and deactivating an on-screen help feature. Aleksander teaches wherein automatically

configuring the user interface comprises at least one selected from the group (see col. 2, lines 64-67) consisting of:

activating an on-screen help features (i.e., if the customer should be provided assistance, then sending HELP option to the customer, see col. 2, lines 17-23); and

deactivating an on-screen help feature (i.e., sending the web page without a HELP option to the customer).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used the method of determining the level of proficiency as taught by Aleksander to the user interface configuration method as taught by Rudd to prevent the customer from leaving the company web site by providing a user interface that the user may find it easy to navigate and to obtain the desired information for a product or service (see Aleksander col. 3, lines 35-37 and col. 1, lines 18-24).

As to claim 24, Rudd teaches the limitation of claim 1 for the reasons as discussed with respect to claim 1 above. However, Rudd does not disclose detecting a total amount of time spent by a user using an application. Aleksander teaches wherein detecting the user proficiency level comprises detecting a total amount of time spent by a user using an application (i.e., the time a customer spends on particular web pages displayed by a browser application, see col. 2, lines 25-30). Thus combining Rudd and Aleksander would meet the claimed limitation for the same reasons as discussed with respect to claim 9 above.



As to claim 31, Rudd teaches the limitation of claim 1 for the reasons as discussed with respect to claim 1 above. However, Rudd fails to disclose detecting web page visitation patterns. Aleksander teaches wherein detecting the user proficiency level comprises detecting web page visitation patterns (e.g., number of times that a customer returns to the web page, see col. 3, lines 21-25). Thus combining Rudd and Aleksander would meet the claimed limitation for the same reasons as discussed with respect to claim 9 above.

As to claim 32, Rudd teaches the limitation of claim 1 for the reasons as discussed with respect to claim 1 above. However, Rudd fails to disclose detecting historical usage of secure web pages. Aleksander teaches detecting historical usage of secure web pages (see col. 6, lines 50-62). Thus combining Rudd and Aleksander would meet the claimed limitation for the same reasons as discussed with respect to claim 9 above.

As to claim 38, Rudd teaches the limitation of claim 36 for the reasons as discussed with respect to claim 36 above. However, Rudd fails to disclose storing and reading marker is performed by different applications. Aleksander teaches

storing the marker is performed by a first application (i.e., a cookie is stored in the customer's device by the web client which displays the web pages to the customers, see col. 2, lines 46-65); and

reading the stored marker is performed by a second application different from the first application (i.e., when the customer accesses the web pages in the future, the

cookies is sent/read by the web host, which is different from web client). Thus combining Rudd and Aleksander would meet the claimed limitation for the same reasons as discussed with respect to claim 9 above.

As to claim 42, Rudd teaches the limitation of claim 1 for the reasons as discussed with respect to claim 1 above. However, Rudd does not explicitly mention retrieving a plurality of stored markers and aggregating the retrieved markers to derive a proficiency level. Aleksander teaches retrieving a plurality of stored markers (i.e., customer profile, customer preferences, other information contained in cookies, see col. 2, lines 23-30) and aggregating the retrieved markers to derive a proficiency level (e.g., determine if the customer needs assistance). Thus combining Rudd and Aleksander would meet the claimed limitation for the same reasons as discussed with respect to claim 9 above.

As to claim 43, Rudd teaches the limitation of claim 1 for the reasons as discussed with respect to claim 1 above. Rudd further teaches responsive to user behavior with respect to the user interface (i.e., the user's interface selection, see [0036]), storing a plurality of markers (step 306 in Fig. 3); however, Rudd does not explicitly mention retrieving at least a subset of the stored markers and aggregating the retrieved markers to derive a proficiency level. Aleksander teaches mention retrieving at least a subset of the stored markers (i.e., information contained in cookies, see col. 2, lines 23-30) and aggregating the retrieved markers to derive a proficiency level (e.g., determine if the customer needs assistance). Thus combining Rudd and Aleksander

would meet the claimed limitation for the same reasons as discussed with respect to claim 9 above.

As to claim 45, Rudd teaches the limitation of claim 1 for the reasons as discussed with respect to claim 1 above. However, Rudd does not explicitly disclose detecting a user proficiency level with respect to a user interface of a web-resident application being run from a client machine; and automatically configuring at least one user interface element for the web-resident application. Aleksander teaches detecting a user proficiency level with respect to a user interface of a web-resident application being run from a client machine (i.e., web pages repeatedly viewed by a customer, see col. 2, lines 64-67 and col. 3, lines 1-7) and automatically configuring at least one user interface element (i.e., displaying or disabling HELP option to the customer, see col. 2, lines 17-23) for the web-resident application (i.e., web pages displaying by internet browser). Thus combining Rudd and Aleksander would meet the claimed limitation for the same reasons as discussed with respect to claim 9 above.

As to claim 57, this claim differs from claim 42 only in that claim 57 is a computer program product claim (see [0026]) whereas claim 42 is a method claim. Thus claim 57 is analyzed as previously discussed with respect to claim 42 above.

As to claim 58, this claim differs from claim 43 only in that claim 58 is a computer program product claim (see [0026]) whereas claim 43 is a method claim. Thus claim 58 is analyzed as previously discussed with respect to claim 43 above.

As to claim 59, this claim differs from claim 45 only in that claim 59 is a computer program product claim (see [0026]) whereas claim 45 is a method claim. Thus claim 59 is analyzed as previously discussed with respect to claim 45 above.

As to claim 72, this claim differs from claim 42 only in that claim 72 is a system claim (see [0006]) whereas claim 42 is a method claim. Thus claim 72 is analyzed as previously discussed with respect to claim 42 above.

As to claim 73, this claim differs from claim 43 only in that claim 73 is a system claim (see [0006]) whereas claim 43 is a method claim. Thus claim 73 is analyzed as previously discussed with respect to claim 43 above.

As to claim 74, this claim differs from claim 45 only in that claim 74 is a system claim (see [0006]) whereas claim 45 is a method claim. Thus claim 74 is analyzed as previously discussed with respect to claim 45 above.

### ***Conclusion***

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

13. Czerwinski et al (publication no. US 2004/0066414 A1) is cited to teach a system and method for managing multiple concurrently opened application or windows.

14. Kerr (patent No. 5,115,501) is cited to teach an application program automatically creates and presents a customized user interface based on various relevant characteristics of the user.

15. Ragan, JR. et al (publication no. US 2005/0015728 A1) is cited to teach a system and method for customizing a user interface including shortcut for one or more object operations.

***Inquiry***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuyetlien (Lien) T. Tran whose telephone number is 571-270-1033. The examiner can normally be reached on Mon-Friday: 7:30 - 5:00 (every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chanh D. Nguyen can be reached on 571-272-7772. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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